

EXHIBIT 1

State of Minnesota
County of Hennepin

District Court
4th Judicial District

Prosecutor File No. 16A14046
Court File No. 27-CR-16-31186

State of Minnesota,

Plaintiff,

COMPLAINT

Order of Detention

vs.

ANASTACIO LEMUS LOPEZ DOB: [REDACTED]

6800 ELKINS RD

#C

MIDLAND, TX 79705

Defendant.

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Disarming a Peace Officer - Take Defensive Device from Peace Officer/Area Controlled by Officer

Minnesota Statute: 609.504.2, with reference to: 609.17.4(2), 609.504.3

Maximum Sentence: 5 YEARS AND/OR \$10,000

Offense Level: Felony

Offense Date (on or about): 12/01/2016

Control #(ICR#): 16432812

Charge Description: That on or about 12/1/2016, in Hennepin County, Minnesota, ANASTACIO LEMUS LOPEZ intentionally attempted to take possession of a defensive device being carried by a peace officer or from the area within the officer's immediate control, without the officer's consent, while the officer was engaged in the performance of official duties.

STATEMENT OF PROBABLE CAUSE

Complainant has investigated the facts and circumstances of this offense and believes the following establishes probable cause:

On or about December 1, 2016, Officers of the Minneapolis Police Department were working in an off-duty capacity at the US Bank Stadium in the city of Minneapolis, Hennepin County, Minnesota, when they were alerted to a fight taking place inside the stadium. Upon arrival, officers learned that ANAZTACIO LEMUS LOPEZ, DOB: [REDACTED], Defendant herein, was to be ejected from the stadium.

While escorting Defendant, he began to fight with officers. During the struggle, Defendant grabbed onto one of the officer's duty belt and attempted to grab the officer's taser.

In a post-Miranda interview, Defendant claimed he couldn't remember fighting with other spectators or fighting with police. A.H., a known adult male, observed the incident.

Defendant is presently in custody.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant

Stephen McCarty
Sergeant
350 S 5th St
Minneapolis, MN 55415-1389
Badge: 4523

Electronically Signed:
12/02/2016 03:08 PM
Hennepin County, Minnesota

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney

Nadia Elnagdy
300 S 6th St
Minneapolis, MN 55487
(612) 348-5550

Electronically Signed:
12/02/2016 02:57 PM

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

☐ **SUMMONS**

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 401 Fourth Avenue S, Minneapolis, MN 55415 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

☐ **WARRANT**

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

☐ *Execute in MN Only*
☐ *Execute Nationwide*
☐ *Execute in Border States*
☒ **ORDER OF DETENTION**

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$20,000.00

Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: December 2, 2016.

Judicial Officer

Margaret Daly
District Court Judge

Electronically Signed: 12/02/2016 03:25 PM

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF HENNEPIN
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

ANASTACIO LEMUS LOPEZ

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
I hereby Certify and Return that I have served a copy of this Order of Detention upon the Defendant herein named.

Signature of Authorized Service Agent: